



APPLICATION GRANTED

SO ORDERED 

VERNON S. BRODERICK

U.S.D.J.

10/15/2024

The conference scheduled for October 17, 2024 is ADJOURNED sine die.

The parties shall file a joint status letter no later than January 15, 2025 if this action has not been dismissed by that date.

October 15, 2024

BY ECF

Hon. Vernon S. Broderick, U.S.D.J.
United States District Court
Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square, Room 415
New York, New York 10007

Re: Mt. Hawley Ins. Co. v. Pink Donuts, LLC d/b/a Pink Love Donuts and More (Civ. Action No.: 1:23-cv-00708-VSB)

Our File: 514254

Dear Judge Broderick:

This firm represents plaintiff Mt. Hawley Insurance Company ("Mt. Hawley"). This is an insurance declaratory judgment action related to an underlying bodily injury suit in Florida state court. A settlement in principle has been reached in the underlying action. The parties to this action have agreed to file a Rule 41 stipulation of dismissal of this action once the underlying settlement has been completed and executed.

By its June 18, 2024 Order (Doc. 28), the Court granted the parties' request to adjourn the post-discovery conference in this action in light of the pending settlement. The conference is now scheduled for October 17, 2024 at 1:00 p.m.

The parties are prepared to proceed with the conference. However, if the Court is amenable, Mt. Hawley respectfully requests one further similar adjournment of the conference. The settlement in the underlying action is not yet complete because it requires appointment of a guardian and approval of the settlement by the Florida court given that the underlying plaintiff is an

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infant. Mt. Hawley has no reason to believe the settlement will not be completed, but with an additional adjournment, the parties to this action may be able to file a notice of dismissal without a conference or other proceedings here.

Pursuant to section 1.G of the Court's Individual Rules & Practices in Civil Cases:

1. As noted, the conference is currently scheduled for October 17 at 1:00 p.m. (Doc. 28).
2. The parties previously applied for an adjournment of the conference on June 17, 2024 (Doc. 27).
3. The Court granted the prior request (Doc. 28).
4. Defendant Pink Donuts, LLC d/b/a Pink Donuts Love and More consents to the current application.
5. The specific reasons for the application are those set forth above.

We thank the Court for considering this application. We are available to provide the Court with any further information it requests.

Respectfully submitted,

DELAHUNT LAW PLLC

/s/

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